



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

AUG 10 2017

REPLY TO THE ATTENTION OF:

**MEMORANDUM**

**SUBJECT:** Recommendation to Issue an Amended Notice of Violation and Finding of Violation to Lone Star Industries, Inc. d/b/a Buzzi Unicem USA

**FROM:** Sara Breneman SB  
Chief  
Air Enforcement and Compliance Assurance Branch

**TO:** Edward Nam  
Director  
Air and Radiation Division

I recommend that you issue this Amended Notice of Violation and Finding of Violation (NOV/FOV) to Lone Star Industries, Inc. d/b/a Buzzi Unicem USA (Lone Star) for violating the Hazardous Waste Combustor NESHAP at Part 63 Subpart EEE (HWC MACT), the Portland Cement NESHAP at Part 63 Subpart LLL, the Indiana SIP and its Title 5 Operating Permit. The original NOV/FOV was issued on May 8, 2017, and this NOV/FOV amends a few of the citations for the violations contained in that document to provide clarity. The amended NOV/FOV is being issued to eliminate the potential for confusion and because the case team believes that this matter is likely to be referred to the Department of Justice.

Lone Star operates a hazardous waste burning cement kiln located in Greencastle, Indiana. The kiln is subject to the HWC MACT standards at all times hazardous waste is in the combustion chamber. The HWC MACT requires Lone Star to continuously monitor and record operational data and keep the values under Operation Parameter Limits (OPL) set during a required performance test. Lone Star has recorded exceedances of OPLs when hazardous waste feed was not shut off in the amount of time allowed under the Hazardous Waste Combustor MACT. These violations occurred with several OPLs, including minimum combustion chamber temperature, carbon monoxide concentration, and maximum inlet temperature to the electrostatic precipitator and bypass baghouse. Lone Star has also exceeded the maximum allowable opacity limit on the kiln stack on numerous occasions. Prior to October 2014, Lone Star utilized opacity as an OPL, but has since installed a particulate matter detection system (PMDS), established as an OPL during a performance test, and ceased monitoring the opacity limit for HWC MACT compliance. Prior to and after the PMDS was installed opacity levels exceeded the twenty percent standard set in the Portland Cement NESHAP and the forty percent standard set in the Indiana SIP. This FOV only alleges exceedances greater than twenty percent opacity while opacity was an OPL. The Portland Cement NESHAP requires Lone Star to install a particulate matter continuous parametric monitoring system (PM CPMS). The PMDS monitor installed and operated by Lone Star does not meet the requirements of the Portland Cement NESHAP. Additionally, Lone Star exceeded the particulate standard for its kiln operations set in its Title 5 Operating Permit.

We discovered these violations through the company's responses to Section 114 Information Requests, issued on September 11, 2015 and September 16, 2016, facility records and continuous monitoring data. Lone Star provided responses to the Information requests in six different responses submitted between October 19, 2015 and April 4, 2017. We issued a previous FOV to the facility on September 11, 2015, alleging mostly separate violations, and the matters may be resolved together.

State Representative Contacted:

Phil Perry

Date:

8/8/17

By:

Nathan Frank

Attachment